

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RCE / 163L
PATENT APPLICATION

In re: PATENT APPLICATION of:

Inventor(s): Elischwesi

Appln. No.: 09 680,310

Series Code ↑

Serial No. ↑

Group Art Unit 1636

Examiner: Leffers

Atty. Dkt. P 268418 980101 BT-B

M#

Client Ref

Filed: October 6, 2000

Title: PROCESS FOR THE PREPARATION OF PANTOTHENIC ACID BY AMPLIFICATION OF NUCLEOTIDE SEQUENCES WHICH CODE FOR KETOPANTOATE KETOESTERASE

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DO NOT USE FOR PROVISIONAL, DIVISIONAL, CIP OR DESIGN APPLICATIONS, OR REEXAMINATION OF PATENTS

Hon. Commissioner of Patents
Washington, D.C. 20231

Date: October 10, 2002

RECEIVED

OCT 15 2002

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114

TECH CENTER 1600/290

Please continue the examination of this application.

PREREQUISITES

This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.

An issue fee **has not been** paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).

Prosecution has been closed as defined in Rule 114(b).

Reply to any outstanding action must be enclosed or previously filed.

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

Please consider the following before the next Official Action:

1. Please ☒ enter ☐ do not enter the Amendment filed August 21, 2002
2. ☐ The enclosed new Amendment
3. ☐ Consider the arguments in the appeal brief filed _____ and reply brief filed _____
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☐ The enclosed Information Disclosure Statement
 - ☐ IDS Letter ☐ Cited Appln ☐ Foreign Search Report/OA
 - ☐ PTO-1449 ☐ Cited Documents
6. ☐ Please suspend action under Rule 103(c) for a period of _____ months (3 mos. Max) for which charge the required \$130 fee (fee code 098) to our Deposit Account (see below).
7. Petition is hereby made to extend the **original** due date of September 19, 2002 to

| | |
|---------|-------------------|
| (1 mo) | \$110/\$55 |
| (2 mos) | \$400/\$200 + 110 |
| (3 mos) | \$920/\$460 |
8. **PLEASE CHARGE** the Rule 17(e) (RCE) filing fee of ☒ \$740 (lg. ent.) ☐ \$370 (sm. ent.) plus any deficiency and any other fee due now or later to our Deposit Account No. 03-3975 under Order No. 21123 / 268418

NOTE: Rule 17(e) filing fee Cannot be deferred!
NO CLAIMS FEE REQUIRED unless you are adding claims by box 2 Amendment in which case cover this with PAT-120.

10/11/2002 MWUONG1 00000059 033975 09680310

C# M#

01 FC:179 740.00 CH

Pillsbury Winthrop LLP
Intellectual Property Group

P.O. Box 10500
McLean, VA 22102

By Atty: Thomas A. Cawley, Jr.

Reg. No. 40944

(703) 905-2000
Atty/Sec: TACJ/AMX

Sig:

Thomas A. Cawley, Jr.

Fax: (703) 905-2500
Tel: (703) 905-2144

NOTE: File this Request (plus enclosures, if any) in duplicate and with PTO receipt (PAT-103A)

Inventor(s): Elischweski

Appln. No.: 09 680,310

Series Code ↑

Serial No. ↑

Filed: October 6, 2000

Hon. Commissioner of Patents

Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER

Group Art Unit 1636

Examiner:

Atty. Dkt. P 268418 980101BT

M#

Client Ref

Appln. Title: PROCESS FOR THE PREPARATION
OF PANTOTHENIC ACID BY
AMPLIFICATION OF NUCLEOTIDE
SEQUENCES WHICH CODE FOR ~~#14~~
KETOPANTOATE REDUCTASE

Date: October 10, 2002

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim

A. ☒ NOT madeB. ☐ WithdrawnC. ☐ made herewithD. ☐ made previously

For B & C
See **Required**
Separate Paper
(Pat-256)

| Claims remaining after amendment | Highest number previously paid for | Present Extra | Large/Small Entity | Additional Fee | Fee Code Lg/Sm |
|---|--|--|--------------------|----------------|---|
| 2. Total Effective Claims | 34 | **minus 34 0 | x \$18/\$9 = | + \$0 | 103/203 |
| 3. Independent Claims | 4 | ***minus 4 0 | x \$84/\$42 = | + \$0 | 102/202 |
| 4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) | | add | + \$280/\$140 = | + \$0 | 104/204 |
| 5. Original due Date: September 19, 2002 | <input type="checkbox"/> NONE | | | | |
| 6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached | (1 mo) (2 mos) (3 mos) (4 mos) (5 mos) | \$110/\$55 = \$400/\$200 = \$920/\$460 = \$1,440/\$720 = \$1,960/\$980 = | + \$110 | | 115/215 116/216 117/217 118/218 128/228 |
| 7. Enter any previous extension fee paid since above original due date and subtract | | - \$0 | | | |
| 8. | | | Extension Fee | + \$110 | |
| 9. If Terminal Disclaimer attached, add Rule 20(d) official fee | | + \$110/\$55 | + \$0 | | 148/248 |
| 10. If IDS attached requires Official Fee under Rule 97 (c), | add | + \$180 | + \$0 | | 126 |
| or if Rule 97(d) Request | add | + \$180 | | | 126 |
| 11. After-Final Request Fee per rules 129(a) and 17(r) | | + \$740/370 | + \$0 | | 146/246 |
| 12. No. of additional inventions for examination per Rule 129(b) | | x \$740/370 ea | + \$0 | | 149/249 |
| 13. Request for Continued Examination (RCE) | | + \$740/370 | + \$740 | | 1179/1279 |
| 14. Petition fee for | | | + \$0 | | |
| 15. | | | TOTAL FEE = | \$850 | |

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

**PLEASE CHARGE
OUR DEP. ACCT**

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Our Deposit Account No. 03-3975)

(Our Order No. 21123 268418

C#

M#

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CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP

Intellectual Property Group

By Atty: Thomas A. Cawley, Jr.

Reg. No. 40944

Sig:

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Tel:

(703) 905-2144

P.O. Box 10500

McLean, VA 22102

Tel: (703) 905-2000

Atty/Sec: TACJ/AMX

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments